

Goodwin Procter LLP
601 S Figueroa St., 41st Floor
Los Angeles, California 90017

1 BROOKS R. BROWN (SBN 250724)
bbrown@goodwinprocter.com
 2 STEVEN A. ELLIS (SBN 171742)
sellis@goodwinprocter.com
 3 **GOODWIN PROCTER LLP**
 601 S. Figueroa Street, 41st Floor
 4 Los Angeles, California 90017
 Tel.: 213.426.2500
 5 Fax: 213.623.1673

6 THOMAS M. HEFFERON (pro hac vice)
thefferon@goodwinprocter.com
 7 **GOODWIN PROCTER LLP**
 901 New York Avenue, N.W. Washington, DC
 8 20001
 Tel.: 202.346.4000
 9 Fax: 202.346.4444

10 ROBERT B. BADER (SBN 233165)
rbader@goodwinprocter.com
 11 **GOODWIN PROCTER LLP**
 Three Embarcadero Center, 24th Floor
 12 San Francisco, California 94111
 Tel.: 415.733.6000
 13 Fax: 415.677.9041

14 Attorneys for Defendant
Countrywide Home Loans, Inc.
 15

16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN JOSE DIVISION**

19 JAY RALSTON, On Behalf Of Himself And
 20 All Others Similarly Situated,

21 Plaintiff,

22 v.

23 MORTGAGE INVESTORS GROUP, INC.;
 24 MORTGAGE INVESTORS GROUP, a
 general partnership; COUNTRYWIDE HOME
 LOANS, INC. AND DOES 3-10,

25 Defendants.

26 Case No. 08-CV-00536 JF (PSGx)

27 **COUNTRYWIDE HOME LOANS, INC'S
 28 NOTICE OF MOTION AND MOTION TO
 STRIKE PORTIONS OF JESSICA MOY'S
 DECLARATION IN SUPPORT OF
 PLAINTIFF'S CORRECTED MOTION
 FOR CLASS CERTIFICATION**

Date: October 14, 2011
 Time: 9:00 a.m.
 Courtroom: 3 - 5th Floor
 Judge: Hon. Jeremy Fogel

NOTICE OF MOTION AND MOTION TO STRIKE PORTIONS OF MOY DECLARATION

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

3 **PLEASE TAKE NOTICE THAT**, on October 14, 2011 at 9:00 a.m., or as soon thereafter
4 as counsel may be heard, defendant Countrywide Home Loans, Inc. (“CHL”) will bring on for
5 hearing before the Honorable Jeremy Fogel, United States Courthouse, Courtroom 3, 5th Floor,
6 280 South 1st Street, San Jose, California 95113, its Motion to Strike Portions of attorney Jessica
7 Moy’s Declaration in Support of Plaintiff’s Corrected Motion for Class Certification –
8 specifically, paragraphs 11, 15, 16, 20, 32 and 33 – because attorney Moy attempts to offer
9 “testimony” consisting of unsupported factual assertions, impermissible opinion, characterizations
10 of the “evidence,” and “expert” opinion.

Respectfully submitted,

13 Dated: August 30, 2011

By: s/ Robert B. Bader
BROOKS R. BROWN
bbrown@goodwinprocter.com
STEVEN A. ELLIS
sellis@goodwinprocter.com
GOODWIN PROCTER LLP
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Los Angeles, California 90017
Tel.: 213.426.2500
Fax: 213.623.1673

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thefferon@goodwinprocter.com
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Washington, DC 20001
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rbader@goodwinprocter.com
GOODWIN PROCTER LLP
Three Embarcadero Center, 24th Floor
San Francisco, California 94111
Tel.: 415.733.6000
Fax: 415.677.9041

Attorneys for Defendant
Countrywide Home Loans, Inc.

1 **PROOF OF SERVICE**

2 I further certify that this document filed through the ECF system will be sent
3 electronically to the registered participants as identified on the Notice of Electronic Filing
4 (NEF) and paper copies will be sent to those indicated as non registered participants on
August 30, 2011.

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6 s/ Robert B. Bader
7 Robert B. Bader
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